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SUBJECT: SERBIA: UN OFFICE BELGRADE SEEKING NEGOTIATIONS WITH
GOVERNMENT OF SERBIA

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Summary

¶1. (SBU) The United Nations Office in Belgrade is assessing the Government of Serbia's willingness to negotiate with the UN on breaking the impasse on Kosovo. UNOB Head Richard Wilcox told the Ambassador that if the GOS is willing, UNHQ would try to negotiate a solution by the end of April, but insisted any agreement would require buy in from both the EU and Kosovar Albanians. Wilcox confirmed that there had been little movement by UNMIK on either preparing for Serbia's elections in Kosovo or investigating the March 17 violence. End Summary.

UNOB Leading Exploratory Talks

¶2. (SBU) In a meeting with the Ambassador on April 1, UNOB Director Richard Wilcox said the UN wanted to start a political dialogue with Belgrade on the situation in Kosovo. Wilcox said the UN Secretary General had given him the "lead in exploratory talks with the Government of Serbia." According to Wilcox, he is to soon recommend back to UNHQ whether more formal talks with Serbia are merited. If so, the goal, he said, was to reach a "substantial agreement" by Orthodox Easter (April 27). Having just concluded a meeting with Minister for Kosovo Slobodan Samardzic and MFA Political Director Boris Stefanovic earlier in the day, Wilcox said he thought the GOS was willing to have further talks.

UN's Justification for Talks

¶3. (SBU) The UN believed reaching an agreement with Belgrade was the only way to move forward, given the current impasse on the EULEX mission. Wilcox said currently, it would require "a nod

from Russia" for the UNSG to agree to the full deployment of the EULEX mission. He described EULEX Commander General Yves De Kermabon as "shell shocked" when DPKO recently told him that the EU should not yet deploy through all of Kosovo. Wilcox said there may ultimately be a "UN policy change, but that the EU should not count on this being a smooth process." Ultimately, he said, UNSG was hoping for a solution that Russia would "tacitly tolerate but one which it would not go to the UNSC to protest." According to Wilcox, these UN talks with Belgrade could lead to that solution. In addition, he said, Russia had received "indications" that the United States was open to talks with Serbia. He asked if Kosovo was on the agenda for the Bush-Putin meeting on April 6, suggesting that its discussion, or lack thereof, would send a strong signal to Serbia.

Buy In from Other Interested Parties a Must

¶4. (SBU) Wilcox told the Ambassador that he had stressed with Samardzic that Serbia must recognize the changing situation in Kosovo. Wilcox told Samardzic, that Kosovo's new constitution (expected in mid June) will "change the political reality on the ground." Serbia, he said, will need to take this into account, since it will have a real impact on UNMIK, particularly how Kosovar Albanians view UNMIK post-constitution. Samardzic responded that Kosovo's new constitution would have no legal consequence for Serbia, according to Wilcox. Samardzic, he said, called for a slower pace, in which the GOS and UN would first reach an agreement, followed by a new UNSC resolution, and finally GOS talks with other stakeholders (EU, Kosovar Albanians). Wilcox claimed he stressed with Samardzic that any agreement with the UN would have "limited value" if it did not have "buy in" from both the EU and Kosovar Albanians. Wilcox stressed that ultimately he thought Kosovo needed to be a

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European problem, with a European solution.

Issues for Discussions

¶5. (SBU) Wilcox believed it was in the interest of Serbian government authorities to reach an agreement with the UN on practical arrangements for Kosovar Serbs in six different areas: Police, Judicial, Administrative Boundary, Customs, Transportation, and Religious Sites. Wilcox noted that these were the same six issues Samardzic outlined to SRSG Ruecker in his March 16 plan, but stressed that any discussion with the GOS would not be on the Samardzic plan, but rather only on these points. He insisted the Samardzic plan would not be a starting off point for negotiations. The UN was not interested in creating new UN structures for Northern Kosovo. That, he said, would be a "complete non-starter." Instead Wilcox wanted to find out how the GOS could accept an EU structure in Serb areas.

No Idea if EU is On Board

¶6. (SBU) Wilcox said he did not know if the EU was open to the idea of the UN holding talks with Serbia. He said after he

assessed Belgrade's receptiveness, the UN could approach the EU. If the EU says there can be no accommodation and that the EULEX mission must deploy specifically as outlined in the Ahtisaari Plan, the UN would have to admit that an agreement with Belgrade cannot be achieved. In that situation, "we just couldn't do it," Wilcox told the Ambassador.

UNMIK Has Not Made Decision on Elections

¶ 17. (SBU) UNMIK had made no decision regarding the GOS's intentions to hold May 11 elections in Kosovo. UNMIK was currently working on a policy paper which would then be shared with UNHQ, Wilcox said. He did not know if Serbia would ultimately carry through on its intent to hold elections, and said he did not raise it with Samardzic. He pointed out, however that Samardzic had told him several months ago that if elections were not held in Kosovo, the GOS had the option of appointing new local leaders for those municipalities.

Comment

¶ 18. (SBU) Wilcox says, and apparently believes, he has been empowered by the UN Secretary General to determine if any accommodation with the Government of Serbia in the short term is attainable. If this is the case, the UN seems determined to negotiate with Belgrade in order to find a solution that is tolerable to Russia, but that will not be rejected by the EU or the Kosovar Albanians. Wilcox readily admits that tricky task would require a willingness to detour from the Ahtisaari plan, at least to an extent. If Wilcox is overestimating the mandate given to him by the UNSG he may be offering his services in good faith, but on shaky ground. This ground could easily crumble if Belgrade later realizes that Wilcox was not the empowered broker they thought, and the international community will have even less time to find solutions to these pending issues prior to Serbia's May 11 elections and the rollout of Kosovo's new constitution. End Comment.

MUNTER